


E.O.
#16
4-25-01

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number: KLR:7146.008
In re Application of Westerman, Larry		
Application Number: 08/985,576	Filed: 12/05/97	APR 20 2001
For: DOCUMENT CLASSIFICATION SYSTEM		Technology Center 2600
Group Art Unit 2721	Examiner: Desire, G	
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, March, 27, 2001 rejecting claims: 1-5, 7-14, and 16-36</p> <p>The fee for this Notice of Appeal is (37 C.F.R. 1.17(b): \$620</p> <p><input type="checkbox"/> Applicant claims small entity status. Se 37 C.F.R. 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1550</u> have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 C.F. R. 1.136(a) (PTO/SB/22) is enclosed.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the:</p> <p><input type="checkbox"/> applicant.</p> <p><input type="checkbox"/> assignee of record of the entire interest.</p> <p><input checked="" type="checkbox"/> attorney or agent of record.</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a) Registration number if acting under 37 CFR 1.34(a)_____</p> <div style="text-align: right;"> _____ Signature</div> <div style="text-align: right;">Kevin L. Russell - Reg. # 38,292 _____ Typed or printed name</div> <div style="text-align: right;">April 17, 2001 _____ Date</div>		



1-19-01

8 AF
GP2721 w

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/985,576	
	Filing Date	12/5/97	
	First Named Inventor	Westerman, Larry	
	Group Art Unit	2721	
	Examiner Name	Desire, G.	
Total Number of Pages in this Submission	18	Attorney Docket Number	KLR:7146.008

RECEIVED

APR 20 2001

Technology Center 2600

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached (\$620) <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit(s)/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part(s)/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) 1. Confirmation Postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual Name	Kevin L. Russell, Reg. No. 38,292 Chernoff, Vilhauer, McClung & Stenzel, LLP		
Signature			
Date	April 17, 2001		
CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL630674625US in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date.			
Type or print name	Kevin L. Russell		
Signature -		Date	April 17, 2001

APR 17 2001

FREE TRANSMITTAL


for FY 2001

Patent fees are subject to annual revision.

Complete If Known

Application No.	08/985,576	RECEIVED
Filing Date	12/05/97	
First Named Inventor	Westerman, Larry	APR 20 2001
Examiner Name	Desire, G.	
Group/ Art Unit	2721	Technology Center 2600
Atty. Docket No.	KLR:7146.008	

METHOD OF PAYMENT (check one)						FEE CALCULATION (continued)					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge the indicated fees and credit any over payments to:						3. ADDITIONAL FEES					
Deposit Account Number 03-1550						Large Entity Small Entity					
Deposit Account Name Chernoff Vilhauer McClung & Stenzel						Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
<input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 & 1.17						105	130	205	65	Surcharge - late filing fee or oath	
						127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
						139	130	139	130	Non-English specification	
2. <input checked="" type="checkbox"/> Payment Enclosed						147	2,520	147	2,520	For filing a request for reexamination	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other						112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
FEE CALCULATION						113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
1. BASIC FILING FEE						115	110	215	55	Extension for reply within first month	
Large Entity Small Entity						116	390	216	195	Extension for reply within second month	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	117	890	217	445	Extension for reply within third month	
101	710	201	355	Utility filing fee		118	1,390	218	695	Extension for reply within fourth month	
106	320	206	160	Design filing fee		128	1,890	228	945	Extension for reply within fifth month	
107	490	207	245	Plant filing fee		119	310	219	155	Notice of Appeal	310
108	710	208	355	Reissue filing fee		120	310	220	155	Filing a brief in support of an appeal	310
114	150	214	75	Provisional filing fee		121	270	221	135	Request for oral hearing	
SUBTOTAL (1)					\$0	138	1,510	138	1,510	Petition to institute a public use proceeding	
2. EXTRA CLAIM FEES						140	110	240	55	Petition to revive - unavoidable	
Total Claims -20* = X 18 =						141	1,240	241	620	Petition to revive - unintentional	
Indep. Claims -3* = X 80 =						142	1,240	242	620	Utility issue fee (or reissue)	
Multiple Dependent =						143	440	243	220	Design issue fee	
*or number of previously paid, if greater. For reissues, see below.						144	600	244	300	Plant issue fee	
Large Entity Small Entity						122	130	122	130	Petitions to the Commissioner	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		123	50	123	50	Petitions related to provisional applications	
103	18	203	9	Claims in excess of 20		126	180	126	180	Submission of Information Disclosure Statement	
102	80	202	40	Independent claims in excess of 3		561	40	581	40	Recording each patent assignment per property (times number of properties)	
104	270	204	135	Multiple dependent claim, if not paid		146	710	246	355	Filing a submission after final rejection (37 C.F.R. 1.129(a))	
109	80	209	40	*Reissue independent claims over original patent		149	710	249	355	For each additional invention to be examined (37 C.F.R. 1.129(b))	
SUBTOTAL (2)					\$0	179	710	279	355	Request for Continued Examination (RCE)	
Other fee (specify)						169	900	169	900	Request for expedited examination of a design application	
SUBTOTAL (3)					\$620						

SUBMITTED BY				Complete (if applicable)	
Name (print type)	Kevin L. Russell	Reg. No.	38,292	Telephone	(503) 227-5631
Signature				Date	4/17/01